

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

CHARLES K. MOODY,

Case No. 20-cv-13122

Plaintiff,

U.S. DISTRICT COURT JUDGE
GERSHWIN A. DRAIN

v.

ANDREW SAUL, COMM'R OF SOC. SEC.,

U.S. MAGISTRATE JUDGE
PATRICIA T. MORRIS

Defendant.

**ORDER ACCEPTING AND ADOPTING REPORT AND
RECOMMENDATION [#16], DENYING PLAINTIFF'S MOTION FOR
SUMMARY JUDGMENT [#13] AND GRANTING DEFENDANT'S
MOTION FOR SUMMARY JUDGMENT [#15]**

On August 5, 2021, Plaintiff Charles Moody filed a motion for summary judgment in this social security disability benefits action. *See* ECF No. 13. Defendant Andrew Saul, the Social Security Commissioner, also submitted a motion for summary judgment on October 1, 2021. *See* ECF No. 15. The parties did not file responses to either motion.

Presently before the Court is United States Magistrate Judge Patricia T. Morris's Report and Recommendation concerning the parties' cross-motions for summary judgment. *See* ECF No. 16. Judge Morris recommends that this Court deny Plaintiff's motion, grant Defendant's motion, and affirm the Commissioner's decision. ECF No. 16, PageID.666. Neither party filed objections to the Report

and Recommendation, and the opportunity to file objections has passed. FED. R. CIV. P. 72(b)(2).

When no objections are timely filed, a district court reviews a magistrate judge's report and recommendation for clear error. FED. R. CIV. P. 72, advisory committee note ("When no timely objection is filed, the court need only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation."). The Court reviewed the Report and Recommendation and found no clear error.

Therefore, the Court ACCEPTS and ADOPTS Judge Morris's Report and Recommendation [#16], as this Court's findings of fact and conclusions of law.

Plaintiff's Motion for Summary Judgment [#13] is DENIED.

Defendant's Motion for Summary Judgment [#15] is GRANTED.

IT IS SO ORDERED.

Dated: April 27, 2022

/s/ Gershwin A. Drain
GERSHWIN A. DRAIN
U.S. DISTRICT JUDGE

CERTIFICATE OF SERVICE

Copies of this Order were served upon attorneys of record on April 27, 2022, by electronic and/or ordinary mail.

/s/ Teresa McGovern
Case Manager